

IC 13-14-5

Chapter 5. Inspections

IC 13-14-5-1

Applicability of chapter

Sec. 1. This chapter applies to inspections conducted under IC 13-14-2-2 after July 1, 1993.

As added by P.L.1-1996, SEC.4.

IC 13-14-5-2

Notice and oral report to property owners

Sec. 2. Except as provided in section 3 of this chapter, the designated agent of the department conducting the inspection must provide the property owner with the following:

- (1) Before completing an inspection of property under IC 13-14-2-2, an oral report of the inspection that includes any specific matters discovered during the inspection that the designated agent of the department believes may be a violation of a law or of a permit issued by the department.
- (2) Not later than forty-five (45) calendar days after the inspection, a written summary of the oral report given under subdivision (1).

As added by P.L.1-1996, SEC.4.

IC 13-14-5-3

Written summary instead of oral report

Sec. 3. If the designated agent of the department completes the inspection at a time when the property owner is not available to receive an oral report under section 2 of this chapter, the designated agent shall mail a written summary of the inspection by certified mail, return receipt requested, to the property owner not later than forty-five (45) calendar days following the inspection.

As added by P.L.1-1996, SEC.4.

IC 13-14-5-4

Permitted omissions from oral reports and written summaries

Sec. 4. A designated agent of the department is not required to include in an oral report or in a written summary:

- (1) a matter that is not evident to the designated agent at the time of the designated agent's inspection; or
- (2) any fact that indicates or evidences an intentional, a knowing, or a reckless violation of:
 - (A) this title;
 - (B) a rule or standard adopted by a board; or
 - (C) any determination, permit, or order made or issued by the commissioner under this title or any other law.

As added by P.L.1-1996, SEC.4.

IC 13-14-5-5 Version a

Rules

Note: This version of section effective until 1-1-2013. See also following version of this section, effective 1-1-2013.

Sec. 5. The boards shall adopt rules under IC 4-22-2 to administer this chapter and IC 13-30-7.

As added by P.L.1-1996, SEC.4.

IC 13-14-5-5 Version b

Rules

Note: This version of section effective 1-1-2013. See also preceding version of this section, effective until 1-1-2013.

Sec. 5. The board shall adopt rules under IC 4-22-2 and IC 13-14-9 to administer this chapter and IC 13-30-7.

As added by P.L.1-1996, SEC.4. Amended by P.L.133-2012, SEC.83.

IC 13-14-5-6

Information presented by property owner

Sec. 6. (a) The property owner may provide information in response to any of the following:

- (1) An oral report provided under section 2 of this chapter.
- (2) A written summary provided under section 2 or 3 of this chapter.
- (3) Questions raised during the inspection visit.

(b) The department shall review and consider any information presented by the property owner under subsection (a). The department shall append any written information provided under subsection (a) to the inspection report and include the written information in the public file.

As added by P.L.30-1999, SEC.4.